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September 27, 2023

The Honorable LaShann DeArcy Hall  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**D R A F T**

***Re: U.S. v. Wayne Peiffer, 21 Cr. 622 (LDH)***

Dear Judge DeArcy Hall:

With the consent of the government, I write to respectfully request a sixty-day adjournment of Wayne Peiffer's October 6, 2023, sentencing hearing.

When I began this letter, I was about to start a trial before the Hon. Carol B. Amon on Monday, September 18. However, on Sunday, September 17<sup>th</sup>, Judge Amon severed my client from the trial. That said, I remain deeply engaged in the proceedings against the remaining two defendants, since the evidence and critically, the rulings that result in this first trial will likely impact my client's trial. Thus, I remain enmeshed in the ongoing trial. The government estimates that their case will take approximately 3-4 weeks; and, it is my understanding that there will be a defense case. While this alone has made preparing for Mr. Peiffer's trial a virtual impossibility, there are now three jurors in Judge Amon's trial who have tested positive for Covid – and the trial has been adjourned until Monday, October 2. Moreover, as soon as the trial before Judge Amon finishes, I am scheduled to begin a trial before Judge Block on November 6<sup>th</sup>, another trial before Judge Chen on November 27<sup>th</sup>, with jury selection beginning on November 20<sup>th</sup>, another trial before Judge Gujarati on December 4<sup>th</sup>, and then, of course, the Jam Master Jay murder trial before your Honor, which will begin in late January 2024. All of this is my extremely long-winded way of explaining that I cannot physically or mentally turn my attention to Mr. Peiffer's matter at this time.

Counsel has conferred with AUSA Nicholas Moscow, who advises that the government has no objection to this request for an adjournment of Mr. Peiffer's sentencing until early January 2024. And, absent any unforeseen emergency, counsel will not seek any further adjournments.

The Court's considerate attention to this matter is greatly appreciated.

Respectfully submitted,

*Susan G. Kellman*

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cc: AUSA Nicholas Moscow